

#17

**FACSIMILE BROWN MARTIN HALLER & McCLAIN**TO FAX NO.: 1-703-308-2571ATTENTION: Examiner Jeffrey A. Shapiro  
Group Art Unit 3651FROM: J.W. McClainNumber of pages: 14  
(including cover page)Date of transmission: December 24, 2001Attorney Docket No.: 7480 PA1CP2Attorneys at Law  
Patents, Trademarks,  
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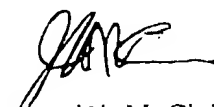
Re: Patent Application Ser. No. 09/364,794, filed July 30, 1999, for VACUUM PNEUMATIC SYSTEM FOR CONVEYANCE OF ICE; Inventor(s): J. Eric Bergh et al.

Submitted herewith by facsimile are the following papers:

- A. Response under 37 C.F.R. § 1.116 [11 pages]
- B. Transmittal Form (PTO/SB/21) [1 page]
- C. Fee Transmittal for FY 2002 (PTO/SB/17) [1 page]
- D. This Facsimile Cover Sheet [1 page]

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Respectfully submitted,

  
James W. McClain  
Attorney for Applicants  
Reg. No. 24,536**FAX RECEIVED**  
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(FAXZSHAP01.L24)

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JW 12/28/02

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PTO/SB/21 (08-00)  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/364,794	
	Filing Date	July 30, 1999	
	First Named Inventor	J. Eric Berge	
	Group Art Unit	3651	
	Examiner Name	Jeffrey A. Shapiro	
Total Number of Pages in This Submission	14	Attorney Docket Number	7480 PA1CP2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Transmittal Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James W. McClain, Reg. No. 24,536
Signature	
Date	December 24, 2001

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PTO/SB/17 (11-01)

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **0.00****Complete if Known**

Application Number	09/364,794
Filing Date	July 30, 1999
First Named Inventor	J. Eric Berge
Examiner Name	Jeffrey A. Shapiro
Group Art Unit	3651
Attorney Docket No.	7480 PA1CP2

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**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
108 84	208 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$) **0.00**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <del>re</del> parts reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
136 1,510	136 1,510	Petition to Institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (within number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **0.00****SUBMITTED BY**

Name (Print/Type) James W. McClain

Signature

Registration No.  
(Attorney/Agent)

24,536

Complete (if applicable)

Telephone

619-238-0999

Date

12/24/01

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of ) FOR: VACUUM PNEUMATIC SYSTEM FOR  
J. ERIC BERGE ET AL. ) CONVEYANCE OF ICE  
Serial No.: 09/364,794 )  
Filing Date: July 30, 1999 ) Group Art Unit: 3651

## RESPONSE UNDER 37 C.F.R. § 1.116

Hon. Commissioner for Patents  
Washington, D.C. 20231

Attention: Jeffrey A. Shapiro  
Examiner

Dear Sir:

This communication is further in response to the Office Action designated Paper No.  
14.

Please amend the above-identified patent application as follows:

I hereby certify that this correspondence is being facsimile  
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to Fax No. (703) 308-2571

on December 24, 2001

James H. McClain  
(Name)

(Signature)

December 24, 2001

(Date of Signature)

[AMDZBERG01.L24]

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